

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DENISE S. MEYERS, widow of
DANIEL E. MEYERS,

Plaintiff,

vs.

SCHWAN'S HOME SERVICE, INC.,

Defendant.

CASE NO.2:11-cv-86

Chief Judge Gary L. Lancaster

AND NOW, THIS 5th DAY OF
Oct, 11, IT IS HEREBY
ORDERED THAT THE WITHIN
MOTION IS DENIED..


GARY L. LANCASTER,
UNITED STATES DISTRICT JUDGE

**MOTION TO RECONSIDER DISMISSAL OF CASE FOR FAILURE TO TIMELY
PROSECUTE AND INSTEAD ORDER AN ADMINISTRATIVE CLOSING PENDING
VOLUNTARY DISMISSAL**

AND NOW comes Plaintiff, by and through her attorney, Erik M. Yurkovich, Esq., and files this Motion to reconsider the dismissal for failure to prosecute ordered on September 16, 2011, and enter an order of administrative closing pending a voluntary dismissal based upon the following facts not presented to this Honorable Court.

1. This case is brought by Denise Meyers, the widow of Daniel E. Meyers, who filed a charge of discrimination with the EEOC against his employer, Schwan's Home Service Inc. (E.E.O.C. Charge No. 333-2010-244).
2. Daniel Meyers died during the investigation of his charge and his wife Denise Meyers was substituted.